

## **ARTICLE 3.00 USE CLASSIFICATION**

### **03.01 General Classification Rules**

The provisions of this section shall be known as the Use Classifications. The purpose of these provisions is to classify uses into a number of specifically defined types on the basis of common functional characteristics and similar compatibility with other uses, thereby providing a basis for regulation of uses in accordance with criteria which are directly relevant to the public interest. These provisions shall apply throughout the zoning regulations.

### **03.02 Listing of Activity Classifications**

All activities are hereby classified into the following activity types: (Vacant land, itself, shall not constitute an activity type.)

#### **03.02.010 Residential Activities:**

- A. Dwelling, one-family detached
- B. Dwelling, attached
- C. Dwelling, two-family detached
- D. Dwelling, mobile home
- E. Dwelling, multi-family

#### **03.02.020 Community Facility Activities:**

- A. Administrative
- B. Assisted Living
- C. Community Assembly
- D. Community Education
- E. Essential Service
- F. Extensive Impact
- G. Health Care
- H. Intermediate Impact

- I. Limited Child Care
- J. Non-assembly Cultural
- K. Nursing Home
- L. Place of Worship
- M. Utility and Vehicular

03.02.030 Commercial Activities:

- A. Animal Care
- B. Automotive Parking
- C. Automotive Parking (Limited Lot)
- D. Automotive Repair and Cleaning
- E. Automotive Servicing
- F. Building and Communication Service
- G. Construction Sales and Services
- H. Consumer Laundry and Repair
- I. Convenience Sales and Service
- J. Financial, Consulting, and Administrative
- K. Food Service
- L. Food Service - Drive-in
- M. General Personal Service
- N. General Retail Trade
- O. Group Assembly - Extensive
- P. Group Assembly - Limited
- Q. Medical Services
- R. Research Service

- S. Retail Business Supply
- T. Scrap Operation
- U. Transient Habitation
- V. Transport and Warehousing
- W. Undertaking Service
- X. Vehicular, Craft, and Related Equipment Sales, Retail and Delivery
- Y. Wholesale Sales
- Z. Limited Retail Sales
- AA. Limited Warehousing
- BB. Adult Entertainment (See 02.02 Definitions)

03.02.040 Manufacturing Activities:

- A. Limited
- B. Intermediate
- C. Extensive

03.02.050 Agricultural and Extractive Activities:

- A. Crop and Animal Raising
- B. Mining and Quarrying
- C. Plant Nursery

**03.03 Accessory Uses**

In addition to the principal activities expressed above, each activity type shall be deemed to include activities customarily associated with, and appropriate, incidental, and subordinate to the principal activity. The accessory uses permitted are presented with the regulation section of each district.

**03.04 Classification of Combination of Principal Activities**

The following rules shall apply where a single zone lot contains activities which resemble two or more different activity types and which are not classified as accessory activities.

#### 03.04.010 Separate Classification of Each Establishment

The principal activities on a single zone lot by each individual establishment, management, or institution shall be classified separately.

#### 03.04.020 Separate Classification of Different Major Classes of Activities Conducted by a Single Establishment

If the principal activities conducted by a single establishment, management, or institution resemble two or more different major classes of activities, to wit, Residential, Community Facilities, Commercial, Manufacturing, or Agricultural and Extractive Activities - the principal activities of each major class shall be classified separately.

#### 03.04.030 Classification of Different Activities Within the Same Major Class, Conducted by a Single Establishment

If principal activities conducted on a single zone lot by a single establishment, management, or institution resemble two or more activity types within the same major class of activities, all such principal activities shall be classified in the activity type within said class the description of which type most closely portrays the overall nature of such activities. However, when activity types have any characteristics of Utility and Vehicular, Health Care, Intermediate Impact, or Extensive Impact Community Facility; or Food Service Drive-in, Auto Parking, Wholesale, Transport and Warehousing, Scrap Operation or Group Assembly - Extensive Commercial Activities; or Extensive Manufacturing Activities; or Mining and Quarrying - Agricultural and Extractive Activities, all such principal activities within the same major class of activities as any of such types the description of which most closely portrays said principal activities; except that all such Commercial Activities shall be classified within the Scrap Operation Commercial Activities type if they have any of its characteristics.

### **03.05 Residential Activities; Class and Types**

03.05.010 Activity Type - Dwelling One-Family Detached: The occupancy of a one-family dwelling which is entirely separated from structures located on adjacent lots.

03.05.020 Activity Type - Dwelling Attached: The occupancy of a building containing not more than two dwelling units attached at the side or sides by a party wall without openings in a series of three or more principal buildings each containing not more than two dwelling units.

03.05.030 Activity Type - Dwelling, Two-family: The occupancy of a building containing two dwelling units.

03.05.040 Activity Type - Dwelling, Mobile Home: The occupancy of a detached one-family dwelling having all the following characteristics:

A vehicular portable structure designed and constructed in accordance with the requirements of American National Standards Institute Standard A119.1, built on a chassis and designed to be used without a permanent foundation as a place for human habitation when connected to the required utilities and:

- A. is not designed and constructed in accordance with the applicable provisions of the adopted building code except Appendix I “Mobile Home Standards.”
- B. is not designed and constructed in accordance with applicable provisions of the adopted housing code.
- C. does not contain a plumbing system designed and installed to meet the applicable requirements of the adopted plumbing code.

03.05.050 Activity Type - Dwelling, Upper Story Residential: The area of a building above the ground floor (which is above the cellar), which is principally used, designed, or adapted for use by one or more households each of which has separate living quarters.

### **03.06 Community Facilities Activities: Class and Types**

03.06.010 Activity Type - Administrative Services Community Facilities: Include the activities typically performed by non-profit private, public, and utility administrative offices.

03.06.020 Activity Type - Community Assembly Community Facilities: Include the activities typically performed by, or at, the following institutions and installations:

- A. Parochial and private, non-profit clubs, lodges, meeting halls, and recreation centers and areas
- B. Temporary non-profit festivals

03.06.030 Activity Type -Community Education Community Facilities: Include the activities typically performed by the following institutions:

- A. Orphanages
- B. Public, parochial, and private nursery schools, kindergartens, primary, and secondary schools

03.06.040 Activity Type - Essential Service Community Facilities: Includes the maintenance and operation of the following installations:

- A. Electrical, communication, and telephone distribution lines and poles, water, storm drainage, sewer lines, and gas distribution lines with incidental appurtenances thereto, but excluding electric transmission lines and major fuel transmission lines.
- B. Private streets
- C. Rights-of-way to all modes of transportation
- D. Small landscaped, scenically significant open areas, natural reserves
- E. Public community centers and recreation areas, such as playgrounds and playfields
- F. Emergency first aid stations

03.06.050 Activity Type - Extensive Impact Community Facilities: Include the activities that have a high degree of effect upon the surrounding land uses due to their hazards, nuisance characteristics, as well as the traffic generation characteristics, parking requirements, and land requirements and typically performed by, or the maintenance and operation of, the following institutions and installations:

- A. Airports, air cargo terminals, heliports, helistops, or any other aeronautical device
- B. Detention and correction institutions
- C. Sanitary land fills
- D. Major mail processing centers
- E. Military installations
- F. Public and private utility corporations or truck yards
- G. Radio and television transmission stations
- H. Railroad, bus, and transit terminals
- I. Railroad yards and other transportation equipment marshaling and storage yards
- J. Stadiums, sports arenas, auditoriums, and bandstands
- K. Zoological gardens
- L. Electricity transmission lines (overhead electrical transmission lines which are principally supported by units having two or more poles or other structures including towers or with the base of the pole or other structure in excess of two feet in diameter) and major fuel transmission lines

03.06.060 Activity Type - Health Care Community Facilities: Include the activities typically performed by the following institutions:

- A. Health Care
- B. Hospitals
- C. Centers for observation or rehabilitation, with full-time supervision or care

03.06.070 Activity Type - Intermediate Impact Community Facilities: Include the activities that have a significant effect upon the surrounding land uses due to their traffic generation characteristics, parking requirements, and land requirements, and typically performed by, or the maintenance and operation of, the following institutions or installations:

- A. Cemeteries, mausoleums and columbariums
- B. Colleges, junior colleges, and universities, but excluding business schools operated as profit-making enterprises
- C. Commercial marinas and boat docks
- D. All golf courses
- E. Reservoirs and water tanks
- F. Sewage disposal treatment plants

03.06.080 Activity Type - Limited Child Care Community Facilities: Include day care for pre-teenage children without living accommodations for the clientele.

03.06.090 Activity Type - Non-assembly Cultural Community Facilities: Include the activities typically performed by the following institutions:

- A. Public, parochial, and private non-profit museums and art galleries
- B. Public, parochial, and private non-profit libraries and observatories

03.06.100 Activity Type - Nursing Home Community Facilities: Include the activities typically performed by the following institutions:

- A. Rest homes and homes for the aged
- B. Nursing homes and convalescent hospitals
- C. Assisted living facilities

03.06.110 Activity Type - Place of Worship: Any structure or site such as a church, synagogue, chapel, sanctuary, used for the collective or individual involvement with a religious activity, such as rites, rituals, ceremonies, and discussions.

03.06.120 Activity Type - Utility and Vehicular Community Facilities: Include the maintenance and operation of the following installations:

- A. Communication equipment installation and exchanges
- B. Electrical substations
- C. Gas substations
- D. Neighborhood news carrier distribution centers
- E. Police stations and fire stations
- F. Post offices, but excluding major mail-processing centers

### **03.07 Commercial Activities; Class and Types**

03.07.010 Activity Type - Animal Care Commercial Activities: Include the provision of animal care, treatment, and boarding services.

03.07.020 Activity Type - Automotive Parking Commercial Activities: Includes the parking and storage of motor vehicles. This does not include the storage of scrap automobiles.

03.07.030 Activity Type - Automotive Repair and Cleaning Commercial Activities: Includes the major repair or painting of motor vehicles, including body work and installation of major accessories, as well as the washing and polishing of motor vehicles.

03.07.040 Activity Type - Vehicular, Craft and Related Equipment Sales and Rental Commercial Activities: Includes the retail or wholesale sale or rental, from the premises, of vehicular and related equipment, with incidental maintenance.

03.07.050 Activity Type - Automotive Servicing Commercial Activities: Include the sale, from the premises, of goods and the provision of services which are generally required in the operation and maintenance of automotive vehicles and the fulfilling of motorist needs, including sale of petroleum products together with sale and servicing of tires, batteries, automotive accessories, and replacement items, lubricating services, and performance of minor repairs.

03.07.060 Activity Type - Business and Communication Service Commercial Activities: Includes the provision of services of a clerical, goods brokerage, communications of a minor processing nature, including multi-copy and blueprinting services, custom printing,



limited to a maximum of 2,500 square feet of floor space, but excluding the printing of books, other than pamphlets and small reports. These activities do not include the storage of goods and chattels for the purpose of sale unless otherwise permitted by other provisions of this Ordinance.

03.07.070 Activity Type - Construction Sales and Service Commercial Activity: Includes the construction and incidental storage activities performed by construction on zone lots other than construction sites, as well as the retail or wholesale sales, from the premises of materials used in the construction of buildings or other structures.

03.07.080 Activity Type - Consumer Laundry and Repair Service Commercial Activities: Include the cleaning or repair of personal apparel and household appliances, furniture, and similar items, other than services listed in Convenience Sales and Service Commercial, but exclude repair of motor vehicles and of structures.

03.07.090 Activity Type - Convenience Sales and Services Commercial Activities: Includes the retail sale, from the premises, of drugs and other frequently needed small personal convenience items such as toiletries, tobacco, magazines, and limited grocery items, as well as the provision of personal convenience services which are typically needed frequently or recurrently, such as barber and beauty care and self-service gasoline as an accessory item to another use; and include shoe shining and operation of self-service laundromats and laundry or dry cleaning pick-up stations but exclude other apparel cleaning and repair services. No establishment shall exceed 5,000 square feet of gross floor area.

03.07.100 Activity Type - Financial, Consultive, and Administrative Commercial Activities: Include the provision of financial, insurance, and real estate brokerage services, as well as the provision of advice, designs, information, or consultations of a professional nature (other than the services classified as Community Facility Activities or described as Medical Service, Business and Communication Services or Research Center). They also include the executive, management, administrative, and desired activities of private, profit oriented firms, other than public utility firms. These activities do not include the storage of goods and chattels for the purpose of sale unless otherwise permitted by other provisions of this Ordinance.

03.07.110 Activity Type - Food Service Commercial Activities: Includes the retail sale of prepared food or beverages for primarily on-premises consumption on the same zone lot, but not to be consumed within a parked car.

03.07.120 Activity Type - Food Service Drive-in Commercial Activities: Includes the retail sale of prepared food or beverages for either home or on-premises consumption, which may be either consumed within a parked car on the same zone lot or within the principal structure on the zone lot.

03.07.130 Activity Type - General Personal Services Commercial Activities: Include the provision to individuals of informational, instructional, and other services not including Financial, Consulting and Administrative Services, Group Assembly, or Transient Habitation or services classified as Community Facilities. The activities do not include the storage of goods or chattels for the purpose of sale unless otherwise permitted by other provisions of this Ordinance.

03.07.140 Activity Type - General Retail Sale and Service Commercial Activities: Include the retail sales or rental from the premises, primarily for personal or household use, of goods and/or services consisting primarily of items such as commercial amusements or food products sales other than those described as Food Service, Food Service - Drive-in or Convenience Sales and Service Commercial Activities, but exclude sale or rental of motor vehicles, except for parts and accessories, and sale of materials used in construction of buildings or other structures, except for paint, fixtures, and hardware.

03.07.150 Activity Type - Group Assembly Extensive Commercial Activities: Includes the provision of cultural, entertainment, educational, and athletic services, other than those classified as Community Facilities, to assembled groups of spectators or participants numbering 500 or more.

03.07.160 Activity Type - Group Assembly Limited Commercial Activities: Includes the provision of cultural, entertainment, educational, and athletic services, other than those classified as Community Facilities, to assembled groups of spectators or participants smaller than 500 in number.

03.07.170 Activity Type - Medical Service Commercial Activities: Includes the provision of therapeutic, preventive, or corrective personal treatment services by physicians, dentists, and other practitioners, as well as the provision of medical testing and analysis services.

03.07.180 Activity Type - Research Service Commercial Activities: Include research of an industrial or scientific nature, other than medical testing and analysis and routine product testing, which is offered as a service or which is conducted by and for a private profit-oriented firm.

03.07.190 Activity Type - Retail Business Supply Commercial Activities: Includes the retail sale or rental from the premises, primarily to firms and other organizations using the goods rather than to individuals, of office equipment and supplies and similar goods, together with the provisions of incidental maintenance services; but exclude sale or rental of motor vehicles, except for parts and accessories, and sale of materials used in construction of buildings or other structures, except for paint, fixtures, and hardware.

03.07.200 Activity Type - Scrap Operation Commercial Activities: Include the storage and sale, from the premises, of used waste materials or other items except when such activities are incidental to a manufacturing operation.

03.07.210 Activity Type - Transient Habitation Commercial Activities: Includes the provision of lodging services to transient guests, having at least 70 percent of its accommodation available on a less-than-weekly basis.

03.07.220 Activity Type - Transport and Warehousing Commercial Activities: Includes the provision of warehousing and storage, freight handling, shipping, and trucking services.

03.07.230 Activity Type - Undertaking-Service Commercial Activities: Includes the provision of undertaking and funeral services involving the care and preparation of the human deceased prior to burial.

03.07.240 Activity Type - Wholesale Sales Commercial Activities: Include the storage and sale, from the premises, of goods to other firms for resale, as well as the storage of goods on the premises and their transfer therefrom to retail outlets of the same firm; but exclude sale or storage of motor vehicles, except for parts and accessories, sales or storage of materials used in construction of buildings or other structures, except for paint, fixtures, and hardware, and sale of fuels, including coal and oil.

03.07.250 Activity Type - Limited Newspaper and periodical Printing: Include the layout, printing, sales and distribution operations for a newspaper, magazine or other periodical, with the physical space for the printing limited to 15,000 square feet.

03.07.260 Activity Type - Limited Retail Sales Activities: Drug Stores or apothecaries that have full time pharmacist(s) during operating hours. Retail flower and/or gift shops.

03.07.270 Activity Type - Limited Warehousing Commercial Activities: Include the provision of storage facilities for individuals and small businesses with the size of each storage unit being limited to a maximum of 500 square feet and the facilities designed to prohibit the use by and generation of heavy or semi-truck traffic and prohibit retail sales or retail activities on the site. An on-site apartment may be permitted for security purposes.

### **03.08 Manufacturing Activities: Class and Types**

This section describes the major class of Manufacturing Activities and its constituent types. Manufacturing Activities include the on-site production of goods by methods other than agriculture and extractive in nature. They also include certain activities accessory to the above.

03.08.010 Activity Type - Limited Manufacturing Activities:

The following activities and operations are included in Limited Manufacturing Activities:

A. The Manufacture, compounding, processing, assembling, packaging, treatment, or fabrication of the following products:

- Apparel accessories, such as hats, jewelry, umbrellas; not including footwear
- Art Objects
- Bakery Goods
- Beverages (non-alcoholic)
- Dairy Products
- Instruments for Medical, Dental, Engineering, Scientific, and Other Professional Purposes
- Optical Instruments and Lenses
- Printed Matter
- Signs

B. Activities and operations which include the following:

- Book Binding
- Data Processing Service
- Photocopying
- Photoengraving
- Precision Machining of Dies, Jigs, and Fixtures
- Printing
- Publishing
- Record Pressing
- Upholstering

03.08.020 Activity Type - Intermediate Manufacturing Activities: Intermediate Activities include the following:

A. The manufacture, compounding, assembling, packaging, treatment or fabrication of products except for the following:

- Cotton Seed Oil\*
- Explosives
- Fireworks
- Organic Fertilizers

B. Other activities and operations except for the following:

- Abrasive, Asbestos, and Non-metallic Mineral Processing\*
- Arsenals
- Asphaltic Cement Plants
- Atomic Reactors

Automobile Wrecking Yards  
Cement and/or Concrete Plants  
Chemical Manufacturing in excess of 1 ton per day  
Cotton Ginning\*  
Fat Rendering  
Foundries  
Grain Milling  
Junk Yards  
Offal Processing  
Ore Reduction  
Paper Mills  
Petroleum Refining  
Pulp Manufacturing  
Radioactive Materials Waste Handling  
Rock Crushing  
Rolling and Finishing of Ferrous Materials\*  
Slaughtering of Animals  
Smelting and Refining of Metals and Alloys\*  
Steel Works (other than those listed)  
Tanning  
Waste Disposal by Compacting or Incineration, as a principal use

\* These activities may be considered as Intermediate Manufacturing Activities if conducted in completely enclosed structures and meet the Performance Standards applicable in the IR (Industrial Restrictive District).

03.08.030 Activity Type - Extensive Manufacturing Activities: Extensive Manufacturing Activities (described in Section 03.08.020) and the exceptions listed above, except as follows:

Arsenals  
Asphaltic Cement Plants  
Atomic Reactors  
Automobile Wrecking Yards  
Chemical Manufacturing in excess of 1 ton per day  
Explosive Manufacturing and Storage  
Fat Rendering  
Fireworks Manufacturing  
Hazardous Wastes Storage and/or Transfer  
Junk Yards  
Offal Processing  
Ore Reduction  
Paper Mills  
Petroleum Refining  
Pulp Manufacturing

Radioactive Waste Handling  
Slaughtering of Animals  
Tanning

**03.09 Agricultural and Extractive Activities: Class and Types**

03.09.010 Activity Type - Crop and Animal Raising Agricultural Activities: Includes the raising of tree, vine, field, forage, and other plant crops intended to provide food or fibers, as well as keeping, grazing, or feeding animals for animal products, animal increase, or value increase, but specifically excluding commercial feed lots.

03.09.020 Activity Type - Plant Nursery Agricultural Activities: Include the cultivation for sale of horticultural specialties such as flowers, shrubs, and trees, intended for ornamental, landscaping purposes.

03.09.030 Activity Type - Mining and Quarrying Extractive Activities: Includes the extraction of minerals including sand and gravel pit operations.

**03.10 Administrative Standards**

Whenever, in the course of administration and enforcement of this Ordinance, it is necessary or desirable to make any administrative decisions, then, unless other standards are provided in this Ordinance, the decision shall be made so that the result will not be contrary to the spirit and purpose of this Ordinance or injurious to the surrounding neighborhood.

## ARTICLE 3.00 AMENDMENTS

<b>Section</b>	<b>Ordinance #</b>	<b>Date</b>
03.08.030	O0111-064	12/18/01